

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO: *Ellis County  
v. Walgreens Boots Alliance, Inc. et al.*,  
Case No. 1:19-op-45860-DAP

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**DISTRIBUTOR DEFENDANTS' NOTICE OF SETTLEMENT  
AND PENDING DISMISSAL**

Defendants AmerisourceBergen Drug Corporation, Cardinal Health 110 LLC, Cardinal Health 200 LLC, Cardinal Health 414 LLC, Cardinal Health, Inc., McKesson Corporation, and McKesson Medical-Surgical Inc. (collectively, "Distributor Defendants") write to respond to the Court's March 11, 2022 Order regarding Plaintiff Ellis County ("Plaintiff")'s motion to remand in the above-captioned case.

Plaintiff has signed a Participation Agreement under the Distributor's Texas Settlement Agreement, and is thus a Participating Subdivision within the meaning of that settlement. The Distributors' Texas Settlement Agreement, which establishes a later timeline for certain implementation steps than the national Distributors' Settlement Agreement, requires the State of Texas to file a Consent Judgment no later than April 9, 2022, and Participating Subdivisions to dismiss all claims against Distributor Defendants with prejudice within 14 calendar days of entry of the Texas Consent Judgment. As Ellis County is accordingly required to dismiss its claims against Distributor Defendants in the near future, Distributor Defendants take no position on the issues presented in Plaintiff's pending motion to remand in the above-captioned complaint. Distributor Defendants do not waive, and expressly reserve, the right to oppose the remand of

any other cases in this MDL to which they are a party that are not within the scope of the Distributors' Texas Settlement, the national Distributors' Settlement, or any other settlement.

March 25, 2022

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